

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 IO-13 ACDA-07 CIAE-00 INR-07 L-03
NSAE-00 NSC-05 EB-07 NRC-05 OES-07 FEAE-00
DODE-00 ERDA-05 SS-15 SP-02 PM-04 H-01 PA-01
PRS-01 USIA-06 /102 W
-----171913Z 118720 /46

R 171839Z JUN 77
FM AMEMBASSY BRUSSELS
TO SECSTATE WASHDC 0342
INFO AMEMBASSY BONN
AMEMBASSY COPENHAGEN
AMEMBASSY DUBLIN
AMEMBASSY LONDON
AMEMBASSY LUXEMBOURG
AMEMBASSY PARIS
AMEMBASSY ROME
AMEMBASSY THE HAGUE
AMEMBASSY VIENNA

C O N F I D E N T I A L SECTION 01 OF 02 BRUSSELS 06300

USIAEA, FOR USEEC ALSO

E.O. 11652: GDS
TAGS: TECH, MNUC, EC, IAEA, BE
SUBJECT: EURATOM-IAEA SAFEGUARDS AGREEMENT: BELGIAN
IMPLEMENTATION

REF: BRUSSELS 746, BRUSSELS 5614

1. IN DISCUSSION WITH FONTAINE AND HERPELS OF FOREIGN
MINISTRY'S SCIENTIFIC AFFAIRS OFFICE ON JUNE 16, WE ASKED
PRESENT STATUS OF BELGIAN LEGISLATION NEEDED TO COMPLETE
IMPLEMENTATION OF EURATOM-IAEA SAFEGUARDS AGREEMENT.
THEY TOLD US THAT TEMPORARY CONTRACTUAL ARRANGEMENTS
BETWEEN THE BELGIAN GOVERNMENT AND NUCLEAR FACILITIES
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ARE IN EFFECT AND ARE EXPECTED TE REMAIN IN EFFECT
UNTIL LEGISLATION IS ADOPTED. A DRAFT LAW WAS PRESENTED
TO PARLIAMENT AND WAS CONSIDERED IN THE FOREIGN AFFAIRS
COMMITTEE WITHOUT ENCOUNTERING SIGNIFICANT OPPOSITION,
BUT PROGRESS STOPPED WHEN PARLIAMENT WAS DISSOLVED IN
APRIL. THE NEW PARLIAMENT IS EXPECTED TO PICK UP THE BILL
WHERE IT LEFT OFF. IT IS STILL MARKED FOR URGENT HANDLING

AND THUS THERE IS A GOOD CHANCE IT CAN BE ADOPTED AND SIGNED INTO LAW BY JULY. ACCORDING TO HERPELS, THE LANGUAGE OF THE DRAFT BILL REFLECTS ALMOST EXACTLY THE LANGUAGE OF THE EURATOM-IAEA SAFEGUARDS AGREEMENT AND FACILITIES ATTACHMENT, AS WELL AS THE DRAFT EC REGULATION THAT WAS NOT ADOPTED.

2. HERPELS URGED US TO TAKE ACCOUNT OF THE DEPTH OF FEELING BEHIND BELGIAN RESERVATIONS AND CONCERNS REGARDING IMPLEMENTATION OF THE SAFEGUARDS AGREEMENT. SHE SAID THAT WHAT IAEA IS NOW DEMANDING GOES CONSIDERABLY BEYOND WHAT WAS AGREED IN NEGOTIATING THE SAFEGUARDS AGREEMENT, AND IN THE NEGOTIATION OF THE NPT ITSELF. ON THE LATTER POINT, SHE STATED EMPHATICALLY THAT ARTICLE III OF THE NPT WAS THE MOST DIFFICULT PROVISION OF THE ENTIRE NEGOTIATION, AND A NUMBER OF COUNTRIES INCLUDING BELGIUM FINALLY ACCEPTED IT ONLY ON THE BASIS OF ELABORATE UNDERSTANDINGS AS TO THE RESPECTIVE ROLES OF EURATOM AND IAEA AND THEIR RELATIONSHIP TO ONE ANOTHER. THE FACT THAT BELGIUM TOOK FIVE YEARS TO MOVE FROM SIGNATURE TO RATIFICATION OF THE NPT HERPELS ATTRIBUTED LARGELY TO THE NECESSITY OF SATISFYING THE BELGIAN PARLIAMENT ON THESE QUESTIONS. WITHOUT IMPLYING ANY THREATS, SHE OBSERVED THAT IT WOULD BE EXTREMELY DIFFICULT TO OBTAIN PASSAGE OF THE IMPLEMENTING LEGISLATION PRESENTLY BEFORE PARLIAMENT IF IT SHOULD PROVE TO BE TRUE THAT THE UNDERSTANDINGS CONVEYED TO THE PARLIAMENT ARE NO LONGER VALID. (HERPELS' REMARKS CORRESPOND CLOSELY TO THOSE OF EC COMMISSIONER BRUNNER REPORTED IN USEC BRUSSELS 5614.)

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3. HERPELS ALSO MAINTAINED THAT BELGIUM'S POSITION ON THE SAFEGUARDS AGREEMENT IS BASICALLY IN HARMONY WITH THE VIEWS OF OTHER EC COUNTRIES. SHE POINTED OUT THAT ONLY SEVEN OF THE EC-NINE COUNTRIES HAVE NUCLEAR FACILITIES, AND ONLY FIVE OF THOSE SEVEN WERE MEMBERS OF EURATOM AT THE TIME THE NPT WAS NEGOTIATED. SHE SAID THAT THE FRG BASICALLY SHARES THE BELGIAN POSITION, AND SO DOES ITALY, ALTHOUGH THE LATTER CANNOT BE COUNTED ON TO STAND UP FOR ITS VIEWS. THAT LEAVES ONLY FRANCE--AS ALWAYS, A SPECIAL CASE--AND THE NETHERLANDS, WHOSE POSITION IS PERHAPS MORE UNCERTAIN.

4. IN CONCLUSION, HERPELS URGED US TO TAKE THE BELGIAN POSITION VERY SERIOUSLY. SHE CHARACTERIZED THIS ISSUE, IN THE CONTEXT OF NON-PROLIFERATION ISSUES IN GENERAL, AS POTENTIALLY THE SOURCE OF SERIOUS BILATERAL POLITICAL DIFFICULTIES.

5. COMMENT: ALTHOUGH HERPELS DOES NOT SPEAK FOR THE "POLITICAL LEVEL" OF THE BELGIAN FOREIGN MINISTRY, SHE HAS LONG BEEN VIRTUALLY THE ONLY PERSON IN THE BELGIAN GOVERNMENT RESPONSIBLE FOR AND THOROUGHLY FAMILIAR WITH EURATOM AFFAIRS AND NON-PROLIFERATION QUESTIONS. HER BOSS, FONTAINE, WAS PRESENT DURING THIS CONVERSATION, AND ALTHOUGH HE CONTRIBUTED LITTLE TO THE SUBSTANCE OF THE DISCUSSION, HIS ATTITUDE CAN BE ASSUMED TO BE GENERALLY APPROVING OF HERPELS' REMARKS. IF A HIGH-

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C O N F I D E N T I A L SECTION 02 OF 02 BRUSSELS 06300

LEVEL APPROACH IN BONN IS BEING CONTEMPLATED, AS SUGGESTED BY USEC IN EC BRUSSELS 5614, WE THINK A SIMILAR APPROACH TO THE BELGIAN GOVERNMENT AT THE SAME TIME MIGHT BE HELPFUL. CHAMBERS

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: NUCLEAR AGREEMENTS, NUCLEAR SAFEGUARDS, RELATIONS WITH INTERNATIONAL ORGS
Control Number: n/a
Copy: SINGLE
Sent Date: 17-Jun-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977BRUSSE06300
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770217-0450
Format: TEL
From: BRUSSELS
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770647/aaaabowh.tel
Line Count: 163
Litigation Code IDs:
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Litigation History:
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Message ID: 2311fc7a-c288-dd11-92da-001cc4696bcc
Office: ACTION EUR
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 BRUSSELS 746, 77 BRUSSELS 5614
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 29-Nov-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2117353
Secure: OPEN
Status: NATIVE
Subject: EURATOM-IAEA SAFEGUARDS AGREEMENT: BELGIAN IMPLEMENTATION
TAGS: TECH, MNUC, BE, IAEA, EURATOM, EEC
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/2311fc7a-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009